

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In the Matter of:

Chapter 13

DARRELL N LEISSES
DONNA M LEISSES

Case No. 2014-34790-GMH

Debtor(s).

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

Darrell N. and Donna M. Leisses (*Name of proponent of modification*) has filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court
517 E. Wisconsin Avenue
Room 126
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Paul R. Uttech
Uttech Law Office
N7652 Edgewater Drive
Beaver Dam, WI 53916

If you, or your attorney, do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

Paul R. Uttech N7652 Edgewater Drive Beaver Dam, WI 53916 (920) 887-2783 (920) 887-2834

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:

- ☒ the Debtor;
☐ the Chapter 13 Trustee (post-confirmation modifications only);
☐ the holder of an unsecured claim (post-confirmation modifications only)

Name: _____

2. This is a request to modify a Chapter 13 Plan (Select A. or B.):

- ☐ A. post-confirmation;
☒ B. pre-confirmation (Select i. or ii);
☒ i. Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or
☐ ii. Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)).
The creditors affected are: (Enter creditors)

3. The Proponent wishes to modify the Chapter 13 Plan to do the following:

To clarify a provision in the previously proposed modification.

4. The reason(s) for the modification is/are:

The previously proposed modification did not clearly state that the claim of the Dodge County Treasurer regarding real property taxes is to be paid with interest at the annual rate of 12%; the calculated plan payment actually reflects the interest inclusion but the plan does not specifically state that provision. The treatment of other claims as described in the previous modification is unchanged. +

5. Select A. or B.

☐ A. The Chapter 13 Plan confirmed or modified on _____ is modified as follows:
(State the specific language of the modification)

☒ B. The unconfirmed Chapter 13 Plan dated 03/24/2015 is modified as follows:

As previously proposed, the plan payment will increase to \$1202.00 after month 3. (An amended Schedule J has been filed reflecting the debtors re-worked budget which accommodates the larger plan payment.) The calculated plan payment does include payment of the Dodge County Treasurer's claim with interest at the annual rate of 12%. +

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. **BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.**

CERTIFICATION

Complete one of the certifications below:

1. I/We, _____, the debtor(s) in this case, certify that I/we have reviewed the modification to the Chapter 13 plan proposed in this motion, and I/we authorize my/our attorney to file it with the court.

Debtor

Date

Debtor

Date

OR

2. I Paul R. Uttech, attorney for debtor(s) Darrell N. and Donna M. Leisses, certify that I have reviewed the modification proposed above with the debtor(s), and that the debtor(s) has/have authorized me to file it with the court.

/ s / Paul R. Uttech
Counsel for the debtor(s)

04/29/2015
Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated: April 29, 2015

Attorneys for Uttech Law Office

at City, State.

By: Paul R. Uttech

Beaver Dam, WI

Bar No. 1023155